

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION  
No. 5:01-CR-7-2-BO

FILED

NOV 01 2013

JULIE A. RICHARDS, CLERK  
US DISTRICT COURT, EDNC  
BY [Signature] DEP CLK

UNITED STATES OF AMERICA, )  
 )  
 v. )  
 )  
 EDWIN MOORE, JR. )  
 \_\_\_\_\_ )

ORDER

This matter is before the Court on defendant's motion to alter restitution payment. On February 13, 2002, defendant was sentenced to a total term of 204 month's imprisonment after pleading guilty to one charge of carjacking, and aiding and abetting, and using, carrying, and brandishing a firearm during and in relation to a crime of violence. 18 U.S.C. §§ 2119 & 924(c)(1)(A)(iii). Defendant was also ordered to pay restitution in the amount of \$3,841.49.

Defendant, who is currently incarcerated, states that he earns roughly \$40 per month and pays \$25 toward his restitution monthly. Defendant contends that he does not have enough money leftover to live on, and asks that his restitution payments be returned to quarterly payments of \$25 instead of monthly payments of \$25 while he remains incarcerated.

Defendant has not demonstrated a material change in his economic circumstances to warrant adjusting his payment schedule, nor has there been a showing that defendant is in default on his restitution payments. 18 U.S.C. §§ 3664(k); 3613A. Accordingly, defendant's motion [DE 62] is DENIED.

SO ORDERED, this 1 day of <sup>November</sup>~~October~~, 2013.

[Signature]  
TERRENCE W. BOYLE  
UNITED STATES DISTRICT JUDGE